



# Bulletin of Rule-making Activities

October 2002

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## Pre-proposal Statement of Inquiry – CR-101

- **Chapter 173-201a WAC - Water quality standards for surface waters of the State of Washington**

This rule making proposes to revise the surface water quality standards by:

- Moving from the current class-based system to a use-based system for designating beneficial uses of waters (for example swimming and aquatic life habitat) in Washington.
- Making changes to criteria (for example temperature and bacteria) for designated uses of the waters.
- Providing more clarity and detail on implementing the regulation, including the state's antidegradation policy.
- Organizing the structure and sections of the regulation to make it easier to use.

Filed with the Office of the Code Reviser on September 17, 2002. For more information contact Mark Hicks at (360) 407-6477 or [mhic461@ecy.wa.gov](mailto:mhic461@ecy.wa.gov) or visit <http://www.ecy.wa.gov/laws-rules/activity/wac173201a.html>.

- **Chapter 197-11 WAC – State Environmental Policy Act (SEPA)**

This pre-proposal will amend the SEPA rule so it is consistent with legislation set forth in RCW 43.21C exempting specific proposed actions from SEPA review.

Filed with the Office of the Code Reviser on September 30, 2002. For more information contact Barbara Ritchie at (360) 407-6922 or [sepaunit@ecy.wa.gov](mailto:sepaunit@ecy.wa.gov) or visit <http://www.ecy.wa.gov/laws-rules/activity/wac19711.html>.

## Proposed Rule-making Order – CR-102 - Continuance

- **Chapter 173-157 WAC - Underground Artificial Storage and Recovery (ASR)**

The purpose of this rule is to establish the standards for review of applications for underground artificial storage and recovery projects and standards for identification and mitigation of potential adverse impacts to ground water quality or the environment.

This continuance is being filed in order to respond to the requests the department received to extend the comment period beyond September 9. The Department of Ecology has agreed to accept comments through September 16th, 2002.

Filed with the Office of the Code Reviser on September 16, 2002. For more information contact Kathleen Ensenat at (360) 407-6780 or [kspa461@ecy.wa.gov](mailto:kspa461@ecy.wa.gov) or visit <http://www.ecy.wa.gov/laws-rules/activity/wac173157.html>

## Proposed Rule-making Order – CR-102 - Supplemental

- **Chapter 173-303 WAC - Dangerous Waste Regulations**

This supplemental proposal is to expand the conditional exclusion, originally proposed, to include licensees and registrants of the State Board of Pharmacy or Drug Enforcement Administration in addition to law enforcement agencies. Other changes are technical corrections.

Filed with the Code Reviser's Office on September 17, 2002. For more information contact Patricia Hervieux at (360) 407-6756 or [pher461@ecy.wa.gov](mailto:pher461@ecy.wa.gov) or visit <http://www.ecy.wa.gov/laws-rules/activity/wac173303.html>.

## Rule-making Order – CR-103

- **Chapter 173-50 WAC – Accreditation of Environmental Laboratories**

Adoption of this rule amendment allows Ecology to grant accreditation for tests on matrices other than water, for physical tests, and for drinking water tests, and to grant accreditation as a National Environmental Laboratory Accreditation Program (NELAP) accrediting authority. Also, the revision will allow collection of sufficient fees to make the accreditation program self supporting.

Filed with the Office of the Code Reviser on October 1, 2002. For more information contact Perry Brake at (360) 895-6149 or [pbra461@ecy.wa.gov](mailto:pbra461@ecy.wa.gov) or visit <http://www.ecy.wa.gov/laws-rules/activity/wac17350.html>.

- **Ch. 173-401 WAC - Operating permit regulation**

This amendment incorporates changes to the Insignificant Emissions Units provisions of the existing rule. The definition of "Major Source" has been amended to match a federal change. Definitions for "Continuous Compliance" and "Intermittent Compliance," have been added in order to clarify expectations on compliance certification forms.

Filed with the Office of the Code Reviser on September 16, 2002. For more information contact Tom Todd at (360) 407-7528 or [ttod461@ecy.wa.gov](mailto:ttod461@ecy.wa.gov) or visit <http://www.ecy.wa.gov/laws-rules/activity/wac173401.html>.

## Rule-making Order – CR-103 – Emergency

- **Chapter 173-303 WAC - Dangerous Waste Regulations**

This emergency rule applies to the proper disposal of confiscated controlled substances that are designated as dangerous waste.

Filed with the office of the Code Reviser on September 16, 2002. For more information contact Ty Thomas at (360) 407-6758 or [ttho461@ecy.wa.gov](mailto:ttho461@ecy.wa.gov) or visit <http://www.ecy.wa.gov/laws-rules/activity/wac173303.html>.

## Miscellaneous Notices

- **Notice to withdraw original pre-proposal (CR-101) for Chapter 173-201a WAC - Water quality standards for surface waters of the State of Washington**

This CR101 is being withdrawn because it is outdated, and is being replaced with a new CR101, Administrative Order # 02-14. This action is necessary to broaden the scope of changes being proposed in the regulation, and to allow for a timely notice to those interested in reviewing proposed changes to the water quality standards.

Filed with the Office of the Code Reviser on September 17, 2001. For more information please contact, Mark Hicks at (360) 407-6477 or [mhic461@ecy.wa.gov](mailto:mhic461@ecy.wa.gov) or visit <http://www.ecy.wa.gov/laws-rules/activity/wac173201a.html>.

- **Notice of advisory committee meetings for Chapter 173-218 WAC - Underground injection control program**

The Department of Ecology is beginning the Underground Injection Control Program Rule revision process (Chapter 173-218 WAC). Advisory committee meetings are being held to help us make decisions about this rule revision.

For more information please contact Mary Shaleen-Hansen at (360) 407-6143, [maha461@ecy.wa](mailto:maha461@ecy.wa) or visit <http://www.ecy.wa.gov/laws-rules/activity/wac173218.html>.

- **Call for data for the assessment of water quality for the 303(d) list of polluted waters**

The Water Quality Program of the Department of Ecology (Ecology) is seeking new water quality data from the public to be used for placing polluted waters on the state's 303(d) list of impaired lakes, rivers, and bays.

More details about the 303(d) process, including assistance with submitting data and a copy of the updated 303(d) policy, can be found at <http://www.ecy.wa.gov/programs/wq/303d/index.html>.

Filed with the Office of the Code Reviser on October 1, 2002. For more information please contact Matthew Green at (360) 407-6386 or [303d@ecy.wa.gov](mailto:303d@ecy.wa.gov).

- **Notice of public hearing and comment period for the draft report "The Toxics Control Accounts Appropriations Recommendations for the 2003-2005 biennium.**

Ecology is accepting public comments on its draft report to the legislature entitled, "The Toxics Control Accounts Appropriations Recommendations for the 2003-2005 Biennium." This report is required by RCW 70.105D.030(3) and describes the appropriation recommendations for funds from the State and Local Toxics Control Accounts. This includes activities for cleaning up, managing, and preventing Hazardous wastes in the state of Washington.

Filed with the Office of the Code Reviser on October 1, 2002. For more information or to submit written comments, please contact Erik Fairchild at (360)407-7282 or [efai461@ecy.wa.gov](mailto:efai461@ecy.wa.gov).

## Rule-making Public Hearings

- **Chapter 173-303 WAC – Dangerous Waste Regulation**

**Tuesday, October 29, 2002**

10:30 AM - 11:45 AM

Department of Ecology

Auditorium

300 Desmond Dr

Lacey

**Comment deadline: Received by November 12, 2002, 5:00 PM**

## Rule-making Public Workshops

- **Nothing to report at this time.**

*Ecology is an equal-opportunity employer. For questions related to this bulletin or if you require this document in alternative format, please contact Laurie Dumar at (360) 407-6606, [ldum461@ecy.wa.gov](mailto:ldum461@ecy.wa.gov) or 711 or 1-800-877-8973 (TTY Relay Assistance). For questions related to specific rule-making please contact the person listed for each activity.*